

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE: MEXTEX OPERATING COMPANY, Debtor.	§	CASE NO. 20-10768-hcm
	§	CHAPTER 11
DOUBLE K DRILLING, LLC,	§	
Plaintiff,	§	
v.	§	ADVERSARY NO. _____
	§	(Removed from Cause No. 19-12-140
MEXTEX OPERATING COMPANY and	§	271 st Judicial District Court, Jack
ROCKING R INVESTMENTS, INC.,	§	County, Texas)
Defendants.	§	

NOTICE OF REMOVAL

Rocking R Investments, Inc., a defendant in the above-styled cause (the “**Removing Party**”) removes a case currently pending in the 271st District Court, Jack County, Texas, Cause #19-12-140 (the “State Court Action” or the "Removed Case") and in support thereof would show the Court the following:

1. The federal court has subject matter jurisdiction of the Removed Case pursuant to 28 U.S.C. § 1334(b). Removal of this case is appropriate to the Bankruptcy Court pursuant to the Standing Order of Reference of Bankruptcy Cases and Proceedings for the Western District of Texas.
2. This removal is timely filed pursuant to Rule 9027(a)(2), Bankruptcy Rules of Procedure.
3. On July 7, 2020, MexTex Operating Company (“Debtor”) filed its Voluntary Chapter 11 Petition under 11 U.S.C. § 101 *et. seq.* in this Court.
4. The Removed Case is a “core” proceeding pursuant to 28 U.S.C. § 157(b)(2)(B) & (O).

5. Removing Party waives any right to a jury trial in this Bankruptcy Court and consents to the entry of final orders or judgments by this Bankruptcy Court.

6. All Parties and their Counsel of record in the Removed Case are as follows:

A. **Plaintiff:** Double K Drilling, LLC

Counsel: William R. (Butch) Korb
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B. **Defendant:** MexTex Operating Company

Counsel: Corey F. Wehmeyer
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Defendant: Rocking R Investments, Inc.

Counsel: Nathaniel Peter Holzer
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8. Removing Party will give notice of this removal to all parties by and through their attorneys of record and will file a copy of this Notice of Removal with the District Clerk of Jack County, Texas under the state court cause number for the Removed Case.

9. A copy of the state court's docket sheet and copies of all pleadings, orders and writs on file in the Removed Case will be provided to the Bankruptcy Clerk.

For the foregoing reasons, Removing Party requests that this Court exercise its jurisdiction of the Removed Case, that the Removed Case proceed in this Court and that Removing Party have such other and further relief, at law or in equity to which it may show itself to be justly entitled.

Dated: July 9, 2020.

Respectfully submitted,

/s/ Nathaniel Peter Holzer
Nathaniel Peter Holzer
State Bar No. 00793971

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ATTORNEY FOR REMOVING PARTY
ROCKING R INVESTMENTS, INC.

CERTIFICATE OF SERVICE

I certify that on July 9, 2020 a true and correct copy of the foregoing was served on those parties listed below via e mail as follows:

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